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November 18, 2021

Via ECF

The Honorable Lorna G. Schofield  
United States District Court for the Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *Anderson v. Hearst Communications, Inc.*, No. 21-cv-08895-RA (S.D.N.Y.)  
*Ramirez v. Hearst Communications, Inc.*, No. 21-cv-09109-LGS (S.D.N.Y.)  
*Lopez v. Hearst Communications, Inc.*, No. 21-cv-09334-LGS (S.D.N.Y.)  
*Hicks v. Hearst Communications, Inc.*, No. 21-cv-09093-RA (S.D.N.Y.)

Dear Judge Schofield,

I represent Plaintiff Tiffani Anderson ("Anderson") in *Anderson v. Hearst Communications, Inc.*, No. 21-cv-08895 (S.D.N.Y.), an interested party in the matters *Ramirez v. Hearst Communications, Inc.*, No. 21-cv-09109 and *Lopez v. Hearst Communications, Inc.*, No. 21-cv-09334. I respectfully write in response to your Honor's November 16, 2021 Order requesting the parties submit letters regarding consolidation of the *Ramirez* and *Lopez* actions. (*Ramirez*, ECF No. 9). Ms. Anderson respectfully submits that any determination on consolidation is premature until Judge Abrams resolves whether the matters should be related to *Anderson*, which is a substantially similar action and the first-filed action in this District.

These cases are two of eight substantially similar actions in this District, all of which allege that Defendant's alleged practice of renting its subscriber lists violate state right of publicity statutes. *See Anderson v. Hearst Communications, Inc.*, No. 21-cv-08895-RA (S.D.N.Y.); *Burke v. Hearst Communications, Inc.*, No. 21-cv-08994-ER-GWG (S.D.N.Y.); *Ramirez v. Hearst Communications, Inc.*, No. 21-cv-09109-LGS (S.D.N.Y.); *Hicks v. Hearst Communications, Inc.*, No. 21-cv-09093-RA (S.D.N.Y.); *Powers v. Hearst Communications, Inc.*, No. 21-cv-09198-PAE (S.D.N.Y.); *Begin v. Hearst Communications, Inc.*, No. 21-cv-09224-UA (S.D.N.Y.); *Ricketts v. Hearst Communications, Inc.*, No. 21-cv-09278-PAE (S.D.N.Y.); *Lopez v. Hearst Communications, Inc.*, No. 21-cv-09334-LGS (S.D.N.Y.). Ms. Anderson's case is brought pursuant to Alabama law, but is otherwise identical to the cases before your Honor. Ms. Anderson has taken the position that these actions should all be related to her first-filed action before Judge Abrams. Thus far, *Hicks v. Hearst Communications, Inc.*, No. 21-cv-09093 – a case brought pursuant to Ohio's right of publicity law – has been deemed related to *Anderson*, but no decision on relatedness has been reached in the other cases.

With respect to the cases before your Honor, on November 4, 2021, Ms. Anderson filed a statement of relatedness in the *Ramirez* action. (*Ramirez*, ECF No. 5). On November 5, 2021,

Ramirez filed an opposition letter. (*Id.*, ECF No. 7). On November 9, 2021, Ms. Anderson filed a response addressed to Judge Abrams, Judge Ramos, and your Honor across all the dockets. (*Id.*, ECF No. 8). In her response, Ms. Anderson informed the courts that her counsel has been retained by clients from California, Indiana, Ohio, Nevada, South Dakota, and Washington who seek to bring similar claims pursuant to their states' rights of publicity. (*Id.* at 5-6). Since that time, Ms. Anderson's counsel has also been retained by clients from Hawaii and has been in contact with potential clients from other states as well. Thus, Plaintiff Anderson intends to file an amended complaint as of right under Rule 15 to add these other clients as named plaintiffs and to add claims for violations of the right of publicity statutes of their respective states. At that point, there will be no basis to contest relatedness as the claims will directly overlap.

Accordingly, as a matter of judicial economy, *Ramirez* and *Lopez* should be deemed related to *Anderson*, and Judge Abrams should resolve issues pertaining to consolidation.

Thank you for the Court's time and attention to this matter.

Very truly yours,



Philip L. Fraietta

CC: The Honorable Ronnie Abrams  
All counsel of record (via ECF)